



Washington D.C. 20505

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Sen Wallop
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9 May 1988
OCA 88-1444

Mr. Sven E. Holmes
Staff Director and General Counsel
Select Committee on Intelligence
United States Senate
Washington, D.C. 20510

Dear Mr. Holmes:

We have recently seen a copy of Senator Wallop's proposal to add a reserve to the Senate Resolution of Ratification of the INF Treaty. As the leaders of the Select Committee on Intelligence (SSCI) may be called on during floor debate on the treaty to comment on the merits of this proposed reserve, [REDACTED] Chairman, Strategic Arms Monitoring Working Group, has suggested we share with you our thoughts on the reserve.

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The form and substance of the proposed reservation would change and accelerate the existing process by which US Intelligence currently reports arms control treaty compliance issues and compliance alert notices to the Executive Branch and to Congress. These changes, if adopted and subsequently given the force of law, would have a significant impact on DCI responsibilities, resources and current policy.

Paragraph (2) of the proposed reservation directs the Executive Branch to provide an INF compliance report every six months. Such an effort also would obligate US Intelligence to contribute its monitoring assessments and other intelligence on the same schedule. It is unclear to us if our other compliance report obligation under provisions of the Defense Authorization Act, 1986, due on 1 December each year, would include INF or if the proposed new reservation would be a substitute for it. It may well be that the adoption of this reserve would result in three compliance reports on INF per year, and thereby engage Intelligence Community manpower and expertise in duplicate efforts.

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Paragraph (3), subparagraphs (A) and (B) would require the DCI to assume responsibilities now held by the policy elements of the Executive Branch. Specifically, I refer to the reserve's obligation to report directly, to the SSCI,



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reasons why US Intelligence should not make compliance judgments. Chief among them is the fact that the Department of State through the Arms Control and Disarmament Agency is legally charged with handling matters bearing on treaty violations--not US Intelligence.

We strongly believe that it is valuable and necessary to maintain clear distinctions and delineations between US Intelligence and policy agency responsibilities. To do otherwise would inevitably mire US Intelligence in a political process that could seriously injure the objectivity and balance of our reporting.

I hope these thoughts prove useful to you as you advise the SSCI Members during the coming floor debate. I would value any comments you might have.

Sincerely,



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John L. Helgerson
Director of Congressional Affairs

D/OCA/ [redacted] (9 May 88)

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